

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
SUPERVISOR OF WELLS

IN THE MATTER OF

THE PETITION OF MUSKEGON DEVELOPMENT COMPANY       )  
FOR AN ORDER FROM THE SUPERVISOR OF WELLS            )  
APPROVING A PLAN OF UNITIZATION FOR PRIMARY,         )  
SECONDARY, AND ENHANCED RECOVERY OF OIL, GAS,        ) CAUSE NO. 09-2009  
AND RELATED HYDROCARBONS, AND ABROGATING            )  
EXISTING SPACING AND PRORATION ORDERS AND RULES       )  
IN THE PROPOSED KAWKAWLIN SOUTH UNIT.                )

**NOTICE OF HEARING**

Take notice that a hearing will be held before the Supervisor of Wells (Supervisor) in the city of Lansing, Michigan, on the TENTH DAY OF DECEMBER (DECEMBER 10), 2009, BEGINNING AT 9:00 A.M., AT THE DEPARTMENT OF ENVIRONMENTAL QUALITY, STEPHEN NISBET HEARING ROOM, ATRIUM LEVEL, SOUTH TOWER, CONSTITUTION HALL, 525 WEST ALLEGAN STREET, LANSING, MICHIGAN. The hearing will be conducted pursuant to Part 615, Supervisor of Wells; and Part 617, Unitization; of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA), MCL 324.61501 et seq. and MCL 324.61701 et seq., respectively; the administrative rules, 1996 AACRS, 2001 MR 2, 2002 MR 23, R 324.101 et seq.; and the Administrative Procedures Act, 1969 PA 306, as amended, MCL 24.201 et seq.; MSA 3.560(101) et seq.

The purpose of this hearing is to consider the petition of Muskegon Development Company (Petitioner), 1425 South Mission Road, Mt. Pleasant, Michigan 48858, requesting an order approving:

(A) A unitized operation and the adoption of a plan for unit operations pursuant to Section 61704(4), Part 617 of the NREPA, for the top of which occurs at an approximate depth of 2,700 feet, and encompassing the entire interval down to the base of the Dundee Limestone Formation at an approximate depth of 3,000 feet. The proposed unit area for the proposed Kawkawlin South Unit is described as:

T14N, R4E, Monitor Township, Bay County, Michigan  
Section 1: All of Section 1 except the NE corner of the NE 1/4 of NE 1/4 lying north of the Kawkawlin River  
Section 2: All of Section 2  
Section 3: NE 1/4; NE 1/4 of SE 1/4; SE 1/4 of NW 1/4  
Section 11: NE 1/4; NE 1/4 of NW 1/4  
Section 12: N 1/2; N 1/2 of SE 1/4

T15N, R4E, Kawkawlin Township, Bay County, Michigan  
Section 36: S 1/2 of S 1/2 lying S of the Kawkawlin River

(B) An enhanced and/or secondary recovery operation pursuant to Section 61506(i), Part 615 of the NREPA and R 324.612. Petitioner proposes to conduct enhanced and/or secondary recovery operations by injecting water into the described reservoir within the Kawkawlin South Unit described in (A).


(C) The operation of the Kawkawlin South Unit as an exception to the applicable spacing and proration provisions of Part 615 of the NREPA, and its administrative rules.

You can obtain a copy of the written petition by requesting one in writing from Mr. Joel R. Myler, Muskegon Development Company, 311 East Front Street, Traverse City, Michigan 49684, telephone number 231-932-9575

Take note that if you wish to participate as a party in the hearing by presenting evidence or cross-examining witnesses, you shall prepare and mail or otherwise deliver to the Petitioner and Supervisor, not less than five days before the hearing date, an answer to the petition in the manner set forth in R 324.1204(6), or a protest as set forth in MCL 324.61704. Proof of mailing or delivering the answer or protest shall be filed with the Supervisor on or before the date of the hearing. The answer or protest shall state with specificity the interested person's position with regard to the petition. Failure to prepare and serve an answer or protest in a timely manner shall preclude you from presenting evidence or cross-examining witnesses at the hearing. If an answer or protest to the petition is not filed, the Supervisor may elect to consider the petition and enter an order without oral hearing. Mail the answer or protest to the petition to Mr. Joel R. Myler at the above address, and to the Supervisor in care of the Assistant Supervisor of Wells, Mr. Harold R. Fitch, OGS, P.O. Box 30256, Lansing, Michigan 48909-7756.

Questions regarding this Notice of Hearing should be directed to Ms. Susan Maul, OGS, Michigan Department of Environmental Quality, P.O. Box 30256, Lansing, Michigan 48909-7756, telephone number 517-241-1552. Persons with disabilities needing accommodations for effective participation in this hearing should call or write Ms. Maul at least one week prior to the hearing date to request mobility, visual, hearing, or other assistance.

Dated: *Sept 28, 2009*

  
HAROLD R. FITCH  
ASSISTANT SUPERVISOR OF WELLS  
Office of Geological Survey  
P.O. Box 30256  
Lansing, MI 48909-7756